

59-06-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LYONS ET AL.	Examiner:	UNKNOWN
Serial No.:	10/799,342	Group Art Unit:	3749
Filed:	MARCH 11, 2004	Docket:	12929.1138US01
Confirmation No.:	6247		
Title:	ADJUSTABLE DECORATIVE SURROUND FOR A FIREPLACE		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV142556582

Date of Deposit: September 2, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: \_\_\_\_\_

Name: David Ortiz

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Sir:

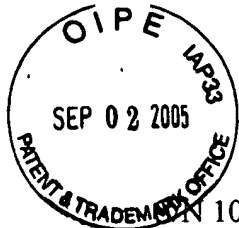
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 4 Reference(s), Copy of Great Britain Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: Joshua N. Randall  
Name: Joshua N. Randall  
Reg. No.: 50,719  
JRandall:PLSkaw:ae



10/799,342

PATENT

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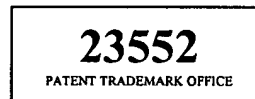
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: \_\_\_\_\_

Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the Great Britain Search Report dated June 2, 2005.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

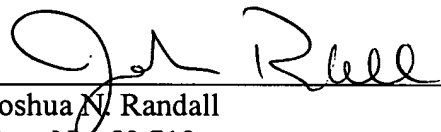
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

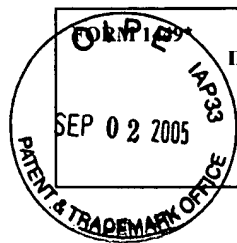
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: September 2, 2005

  
\_\_\_\_\_  
Joshua N. Randall  
Reg. No. 50,719  
JNR:PLSkaw:ae



## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

12929.1138US01

Application Number:

10/799,342

Applicant: LYONS ET AL.

Filing Date: 03/11/2004

Group Art Unit: 3749

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,758,317	09/11/1973	Moore, Jr. et al.			
	5,737,888	04/14/1998	Shimek et al.			
	2003/0049575 A1	03/13/2003	Lyons et al.			
	2003/0140570 A1	07/31/2003	Richmond et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	279,987	11/10/1927	GB				
	302,564	12/20/1928	GB				
	852,169	10/26/1960	GB				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		"MILESTONE better than nature," 2 pages (Date Unknown)

23552

PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.